

ON HIS DEATHBED, NEGRO ASSERTS HIS INNOCENCE

Man, Shot While Resisting Arrest,
Dies at the City
Hospital.

DETECTIVE KRENGEL IS BAILED

Miss Chenault Views Body, and Is
Positive It Is Not That of Her An-
nihilant—Other Suspects Released.

Samuel Thompson, colored, one of the eleven suspects held in connection with the fatal attack on Miss Fannie T. Chenault, of Henrico County, on Saturday night, died at 3:45 o'clock yesterday afternoon at the City Hospital from wounds inflicted by Detective Sergeant Fred Krengel on Sunday morning, when the negro was shot three times while resisting arrest. Although attempts were made to get a statement from the dying man, no light was thrown by him upon the crime. Sergeant Krengel is technically under arrest, and has been suspended by Mayor Abelle, pending an investigation into the shooting. Miss Chenault viewed the body yesterday afternoon and was positive that it was not that of the man who had attacked her.

Two more arrests in the case were made yesterday, and several more negroes are under surveillance by the city police. The description of the assassin which was given by Miss Chenault, is that of a type, and practically every one of the suspects fit it. Attempts late yesterday afternoon to identify the assassin were fruitless, although Miss Chenault carefully examined them all. The six men held in the Henrico County Jail were released, but the city police will hang on to their man, against whom charges of disorderly conduct and carrying concealed weapons were lodged.

NEGRO REFERRED HIS INNOCENCE ON DEATHBED

Thompson for several hours prior to his death was partially unconscious, and was under the influence of drugs. During the forenoon some little excitement was occasioned by the report that William Patterson, colored, a patient in the same ward, had received a confession. The report was that certain remarks made by the dying man, but the police place little credence in them. Patterson is a patient suffering with a fractured skull, and his talk was rambling and confused. He gave several versions of the alleged conversation, all of which, if true, were apparently mere braggadocio.

Thompson was shot in three places, and an operation was performed on him late Sunday afternoon. About noon yesterday it became apparent that he was dying, and every effort was made to get an ante-mortem statement. Detective Gordon Smith and Patrolman Walsh, as well as the physicians, were unable to get the negro to make any statement at all, beyond reiterating his innocence.

POLICE SERGEANT KRENGEL SUSPENDED BY MAYOR

Sergeant Krengel, who was injured by a rock thrown by Thompson while resisting arrest, was not on duty yesterday, having notified Captain McMahon that he was incapacitated. He was arrested at his home and was admitted to bail pending the request, which will be conducted by Coroner Taylor. Following the usual custom, Krengel was suspended by Mayor Abelle until after the inquiry.

Miss Chenault was accompanied to the City Hospital by her father, Wallace W. Chenault, and two women neighbors. She was calm and collected and showed few signs of the ordeal through which she had so recently passed. The first time she was taken to the City Hospital, where A. D. Duke was confronted by her. She appeared in doubt, and could neither identify the man, nor positively state that he was not her assailant.

From the station, the party went to the Henrico County Jail, where ten negroes, among whom were the six arrested on suspicion, were brought before her. After questioning and posing them in various positions, she stated that she was unable positively to identify either of the men as her assailant.

Most of the negroes were dressed in blue overalls, which the report is said to have worn at the time the crime was committed, and they ranged in height from five feet three inches to nearly six feet. They were released from custody immediately after Miss Chenault had viewed them, and she did not believe the guilty man was among them.

Due to the uncertainty which Miss Chenault manifested while examining the men, county officers expressed doubts as to whether she would be able to recognize the negro should he be apprehended.

**STILL THINKS SHE WOULD
RECOGNIZE ASSAILANT**

Miss Chenault showed doubt throughout the entire time she was before the ten negroes yesterday afternoon. Her eyes ran rapidly over their forms and countenances, and she had Commonwealth's Attorney Sutton ask questions of first a tall, smooth-shaven negro, then a light-colored man and next a negro whose skin was almost ebony in hue. Finally a small, black man was brought in from the cells and upon him Miss Chenault turned the fire of her questions.

She slowly shook her head as she moved from place to place in her effort to get a different view of the man's upraised and grinning face. Turning to Attorney Sutton she said that she did not think he was her assailant. She retired to the trial office with her father, and the negroes were taken back to the jail, where those who had been arrested as suspicious characters were at once released.

County officers impressed upon both Miss Chenault and her father that identification must be positive and conclusive before a man could be held for trial on a capital charge. She again reiterated her belief that she would be able to recognize her assailant should he be brought before her. Negroes who had been arrested by county officers gave the names of Joshua Richardson, Ernest Smith, Harrison Pearce, Robert Henry Hunter, Phil Harris and Harry Cooper. While all of them were dressed in overalls and showed evidence of having been imprisoned in connection with work, their descriptions regarding color, size and age varied greatly.

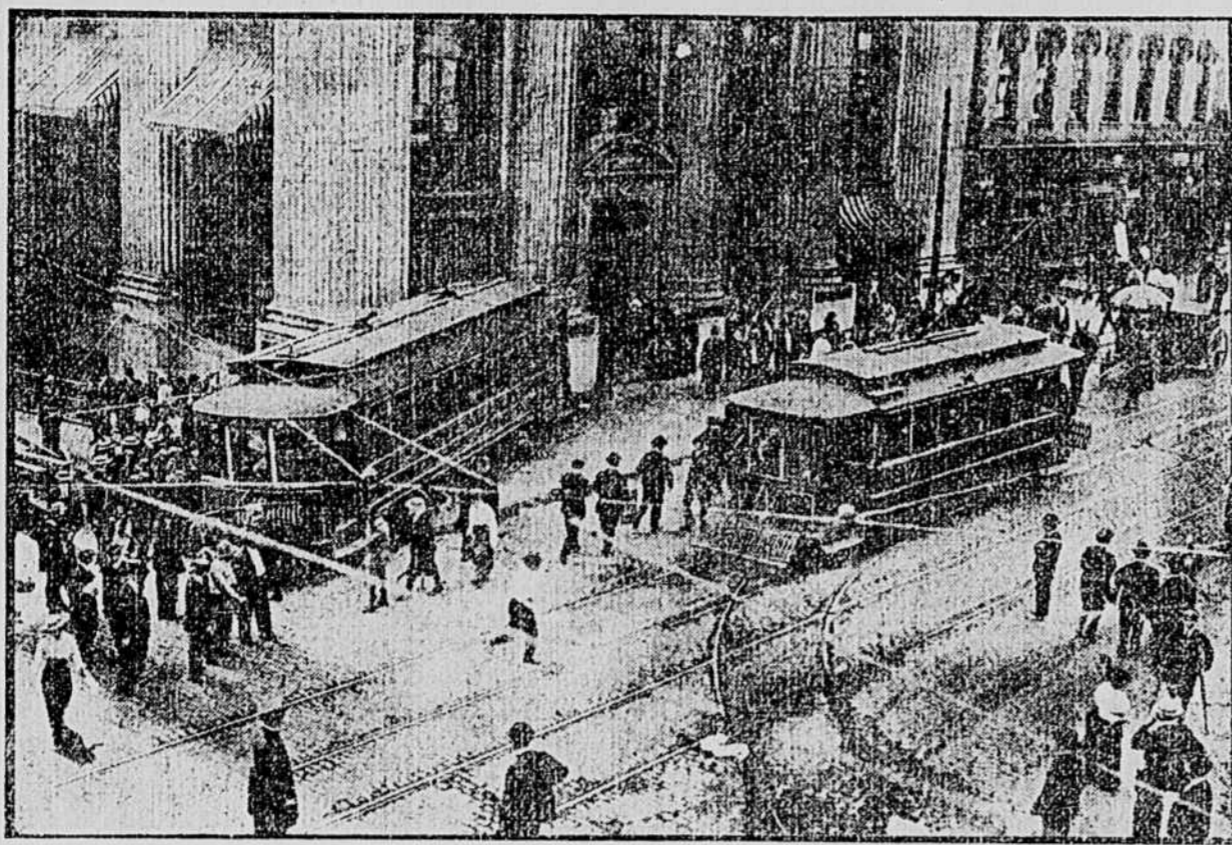
Coroner Taylor last night decided to hold an inquest over the dead negro tomorrow morning at 10 o'clock. Sergeant Krengel, who was charged by Detective Sergeant C. W. Atkinson, was bailed before Magistrate J. A. Furdie in the sum of \$200 for appearance in Police Court on May 15.

Virginia Postmasters.
[Special to The Times-Dispatch.]
Washington, D. C., May 11.—Virginia Postmasters were appointed today as follows:

Cholonsville, Brunswick County, Fannie M. Wesson; Roxbury, Charles City County, Fred S. Beck; Czar, Randolph County, Osman B. Cutright.
Lewis B. Willis has been appointed rural carrier on Route 1, at Orange, Va.

Divorce Granted.
R. Capers Snyder was granted a divorce in the Law and Equity Court yesterday from his wife, Lillie B. Snyder. The divorce suit was brought in the instance by Mrs. Snyder. Mr. Snyder filed a cross-bill and was given a decree of separation on statutory grounds.

STREET CAR CRASHES INTO BANK BUILDING



Laurel Street car becomes unmanageable at Ninth and Main Streets at busy hour. Passengers and pedestrians have narrow escapes.

COMMITTEE TO ARRANGE FOR COMING OF BANKERS

Will Hold Meeting at Chamber of Commerce on Friday Afternoon.

LARGE ATTENDANCE IS EXPECTED

Convention in October One of the Most Important Richmond Has Ever Entertained, Says Dabney.

Members of the committee on entertainment and arrangements for the convention of the American Bankers' Association, to be held here in October, have been called to meet in the assembly hall of the Chamber of Commerce and Manufacturers' Building on Friday afternoon at 5 o'clock. Julian H. Hill is chairman of the committee, and W. T. Dabney, business manager of the Chamber of Commerce, is secretary. The other members of the committee are W. H. Adams, W. M. Addison, Henry W. Anderson, Hugh Antrim, L. D. Aylott, E. L. Bemiss, John Kerr Branch, John P. Branch, M. C. Branch, John Stewart Bryant, Thomas P. Bryan, C. E. Burnett, H. L. Cabell, W. L. Carneal, Jr., Richard W. Carrington, George L. Christian, J. G. Corley, James H. Dooley, J. W. Ellerson, R. L. Gordon, W. M. Hamilton, R. H. Harwood, S. H. Hawes, O. B. Hill, A. R. Holladay, Eppa Hunter, Jr., H. W. Jackson, G. Jeter Jones, Ebert G. Leigh, W. H. Palmer, Leigh W. Gordon McCabe, L. Z. Morris, Leola R. Pace, William H. Palmer, Jr., H. R. Pollard, Thomas W. Purcell, W. T. Reed, Alvin M. Smith, William H. Trigg, Thomas S. Wheelwright and T. C. Williams.

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tremendous growth the city has made since their last visit to Richmond. "And people who are seeking investments or are thinking of changing their business locations," said Mr. Dabney, "always go to the bankers for information, for the bankers are more generally informed than any other people, and they give the most conservative estimate."

The hotels have already turned in information as to their capacities to the committee on hotels, of which Thomas B. McAdams is chairman, and reservations will be made in time for all those who ask them. Oliver J. Sands, chairman of the publicity committee, in preparing publications to give as widespread advertisement to the convention as possible.

The fact that Richmond is a regional bank city and one of the reserve centers, will lend added interest to the convention, and will be one of the cards which will attract large delegations here.

HAS VARIETY OF CALLS

City Ambulance Is Kept Busy by Peculiar Chapter of Accidents.

Varley marked the work of Mr. M. L. Boyle, Jr., City Hospital ambulance surgeon, yesterday. Of six serious calls which he answered, each was entirely different from the others.

H. Cobb, of 801 North Twenty-fifth Street, was treated for injuries received when a two-pound casting fell across his foot while he was at work at the plant of the International Machine Corporation. The bones of the foot were crushed. He was removed to his home, where he was reported to be resting comfortably.

While playing around in the kitchen, Jessie, the two-year-old daughter of J. W. Harris, of 1215 Dance Street, fell into a can of boiling starch and was seriously injured. He was taken to the Memorial Hospital for treatment.

Victor Tamaris, who has been in this country just fourteen days, fell through a window at the A. B. restaurant, North Seventh Street, and severed an artery in his right wrist. Two stitches were made in the wound.

Within fifteen minutes of each other, Dr. Boyle was called upon to treat two cases in which men were run down by a runaway electric car, and injured, and Deantur Axtell was knocked down by an automobile.

Judgment Entered.
Judgment for \$215 was entered yesterday in the City Circuit Court against T. A. Houghton, in favor of C. M. Miller.

LAUREL STREET CAR RUNS AWAY ON NINTH STREET

Crashes Into First National Bank Building—Two Pedestrians Are Hurt.

PASSENGERS ESCAPE INJURY

Crossed Wires Charged Switch-Handles, Preventing Motorman From Applying Brakes—Thousands See Wreck.

Hundreds of curious persons came from all parts of the city yesterday afternoon to view the wreckage of Laurel Street car No. 128, which, after becoming unmanageable on the Ninth Street hill, ran backwards, crossed Main Street, and crashed into the First National Bank Building. Two persons were injured in the accident, while scores of pedestrians had miraculous escapes from death beneath the runaway car.

Frederick E. Henson, of Mill Road, Henrico County, was the most seriously hurt, sustaining a fracture of the bone in his right leg. The injured man was walking along Main Street with his wife, when the car bore down upon him. He was dashed against the building and was pinned beneath the front truck of the runaway. After being extricated from the position, Mr. Henson was taken into Polk Miller's drug store and given emergency treatment. He was removed later to Grace Hospital.

Mrs. J. R. Crutcheff, of Glen Allen, who endeavored to get out of the path of the car, tripped and was thrown heavily to the ground. Although painfully bruised and shaken by the fall, she sustained no serious injury. All of the passengers escaped with a shaking up.

**CREW PLACED BLAME ON
CROSSED ELECTRIC WIRE**

The crew placed the blame of the runaway upon a crossed wire charging the front of the car, making the motorman helpless to work the air brakes. After the car gathered momentum it was impossible to stop it.

Those who saw the car bearing down the hill believed that it would continue town Ninth Street, but on reaching the switch at the intersection it slewed around and went crashing across the pavement into the big stone building. The force of the impact against the curb crushed two of the heavy cast iron wheels. Both trucks were torn from their positions, and the body of the car was badly wrecked.

Motorman R. T. Fleishman and Conductor W. C. Cox emerged from the accident with a few minor bruises.

Reports Ring Stolen from Pocket.
Roy E. Wyatt, of 1223 Brook Road, reported last night at the Second Police Station that he had been robbed of a diamond ring while in Sievers' barber shop, in which he was employed. The ring was taken from his pocket. The description of a man suspected of the theft was given the police.

COURT OF APPEALS ORDERS THIRD TRIAL OF SUIT

On Fuller Evidence, Judges Reverse
Position Taken in Former
Hearing.

VALIDITY OF INSURANCE POLICY

Burkeville Man, While Acting as Agent
for Philadelphia Company, Insured
His Property, Which Later Burned.

For the second time, the verdict in the case of T. Gilbert Wood, suing for himself, the Roanoke Sheet Metal Company and J. D. Wood, the Spring Garden Insurance Company, of Philadelphia, for recovery on an insurance policy, has been reversed by the United States Circuit Court of Appeals, and the cause remanded for new trial. The opinion as handed down yesterday was signed by Judge Woods. Judge Ross dissented.

Wood was employed as agent of the insurance company at Burkeville by E. A. Young, a representative of the company, on January 25, 1909. He wrote out a policy for the Haytokah Inn, his own property, and when the inn was burned the insurance company refused to pay the policy, on the grounds that Wood, employed by it as an agent, had not informed the officers that the property belonged to him, and had not given full details of the risk.

In the first trial the jury found for the plaintiff, and, after reviewing the evidence on the appeal taken by the company, the United States Circuit Court of Appeals reversed the verdict, saying that judgment should have been found for the defendant, and remanded the cause for new trial. In the second trial more and fuller evidence was brought out, it being shown that E. A. Young, representative of the company, was informed that Haytokah Inn belonged to Wood, but the jury found for the defendant, in accordance with the opinion of the Court of Appeals handed down after the first trial. But, though the Court of Appeals, in reversing the first verdict, was of opinion that judgment should have been found for the defendant, it was of opinion that the evidence in the second trial was not in favor of the defendant.

JUDGE WOODS WRITES GROUNDS FOR OPINION

In the words of the opinion handed down yesterday by Judge Woods, "the first trial resulted in judgment for the plaintiff, Wood, but the judgment was reversed in this court, and the cause remanded for new trial, the court holding that the verdict for the defendant should have been directed because the evidence showed that Wood was an agent of the defendant insurance company, and issued a policy on his own property, Haytokah Inn. The position of an agent who issues a policy to himself should be of the utmost frankness. In the opinion of the court he was not entitled to recover unless he could show clearly that the principal was advised."

"On the second trial the defendant set up as the sole defense, that the plaintiff was the agent of the defendant, and issued the policy in suit to himself, for his own benefit, and did not inform the defendant of the risk, including his ownership of the property."

"After hearing the evidence on this issue in the light of the former decision of this court, the district judge directed a verdict for the defendant. The evidence of the plaintiff in the second trial was substantially different, and, strong enough to require submission of the issue of notice to the company of the plaintiff's ownership." The opinion then recited that Wood was employed by E. A. Young, representing the company, and that he wrote the policy on July 16, 1909, and retained the policy, but sent correct memoranda of the policy to the head offices. The court of appeals was of opinion that there was strong evidence in the second trial to show that Young, as an agent of the company, had full authority not only to employ and discharge local agents, but to represent the company generally, and that the evidence adduced might lead the jury to believe that Young, as an agent, was empowered to consent that Wood should insure his own property and that notice to Young was notice to the company, and that as agent Young sanctioned and solicited the insurance.

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